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ORIGINAL

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IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF PENNSYLVANIA

JOSEPH M. CRAVEIRO JR.

VS.

U.S.A. Et, al

Warden L.S.C.I. Allenwood

C.A.No.1:00-001714

FILED
HARRISBURG, PA

JAN 17 2001

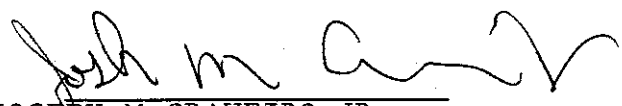
MOTION FOR EVIDENTIARY HEARING **MARY E. D'ANDREA, CLERK**
UNDER F.R.C.P. Rule #8 Per 9/8 Deputy Clerk

Now comes the named above requests that this Honorable court to grant a hearing under the Rule 8 of the Federal Rules of Procedure, and states why said hearing should be granted.

1. The petitioner was denied a full and just Due Process hearing by the counsel who was appointed and by the State courts.
2. The merits of the factual dispute were not resolved in the state Courts.
3. The fact finding procedure employed by the state court was not adequate to afford a full and fair hearing.
4. The facts in dispute by petitioner and the face of the state courts record clearly shows and establish by convincing evidence that the state courts actions and determination by the state court was erroneous.

WHEREFORE the burden shall rest upon the respondent to show good cause why this Motion should not be granted at once.

RESPECTFULLY SUBMITTED


JOSEPH M. CRAVEIRO JR.
02630-070
P.O. BOX. 1000
White Deer Pa. 17887

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true copy to the respondents on this date 1/15/01